MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 26, 2008 -1-

THE WEST VALLEY CITY COUNCIL MET IN JOINT MEETING WITH THE PLANNING COMMISSION AT 3:07 P.M., AND IN STUDY MEETING AT 4:33 P.M., TUESDAY, FEBRUARY 26, 2008, IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt Russ Brooks Carolynn Burt Corey Rushton Steve Vincent Mike Winder (Arrived as noted)

Wayne Pyle, City Manager Sheri McKendrick, City Recorder

ABSENT:

Joel Coleman

PLANNING COMMISSION MEMBERS PRESENT:

Jack Matheson Harold Woodruff Phil Conder

STAFF PRESENT AT JOINT MEETING:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Joseph Moore, CED Director
Richard Catten, City Attorney
Layne Morris, Community Preservation Director
Russell Willardson, Public Works Director
Mike Wells, Acting Police Chief
John Janson, CED Department
Steve Pastorik, CED Department
Frank Lilly, CED Department
Aaron Crim, Administration
Owen Jackson, Administration

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Craig Thomas, Administration
Jake Arslanian, Public Works Department

STAFF PRESENT AT STUDY MEETING:

Paul Isaac, Assistant City Manager John Evans, Fire Chief Russell Willardson, Public Works Director Joseph Moore, CED Director Richard Catten, City Attorney Jim Welch, Finance Director Layne Morris, Community Preservation Director Kevin Astill, Parks and Recreation Director Craig Black, Acting Police Chief Craig Thomas, Administration Owen Jackson, Administration Steve Pastorik, CED Department Brent Garlick, CED Department Nevin Limburg, CED Department Jake Arslanian, Public Works Department Erik Brondum, Public Works Department

1. **GENERAL PLAN UPDATE**

City Manager, Wayne Pyle, thanked everyone for their attendance and stated this meeting was the third in a series of four scheduled joint meetings with the Council and Planning Commission.

Upon direction by the City Manager, Steve Pastorik, CED Department, utilized PowerPoint and discussed information summarized as follows:

- Review of prior City Council/Planning Commission meetings and the issues discussed
- Summary of recommendations from Opportunity Corridor Public Meetings
- Urban Design Task Force recommendations and request for City Council/Planning Commission to score based on priority using report and sheet provided
- Suburban vs. urban
- Commercial development standards
- Civic improvements

During the above discussion, Mr. Pastorik received input and answered questions from members of the City Council and Planning Commission.

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Councilmember Winder arrived at the meeting at 3:37 P.M.

Using PowerPoint, Frank Lilly, CED Department, discussed items summarized as follows:

- City Council and Planning Commission to score based on priority using report and sheet provided
- Environmental policy
- Energy efficiency
- Balance jobs, retail and housing
- Water conservation
- Public transit
- Air quality
- Review of Annexation/Fiscal Impact Analysis task force discussions

During the above discussion, Mr. Lilly received input and answered questions from members of the City Council and Planning Commission

John Janson, CED Department, introduced a new City Planner, Shane Smith, to begin employment with the City the following week.

Using PowerPoint, John Janson, discussed information summarized as follows:

- Community Services task force recommendations and request for City Council and Planning Commission to score based on priority using report and sheet provided
- Police services
- Fire Services
- Public Works
- Education
- Parks
- Arts, culture and recreation

During the above discussion, John Janson received input and answered questions from members of the City Council and Planning Commission.

Mayor Nordfelt expressed appreciation to members of the Planning Commission for their attendance and participation in the meeting. Members of the Planning Commission were excused.

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2. CONVENE STUDY SESSION

Mayor Nordfelt convened the Council Study Meeting at 4:33 P.M.

3. RESOLUTION NO. 08-86, AUTHORIZE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE LEASE FOR FLEET TRUCK VEHICLES, WASTE RECEPTACLES, ONE AMBULANCE AND ONE FIRE TRUCK FOR THE CITY; AUTHORIZE EXECUTING AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZE THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION

Mayor Nordfelt stated Item No. 8.A. on the Agenda would be discussed out of order as the City's financial advisor, Laura Lewis, Lewis Young Robertson Burningham, was in attendance.

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-86 which would authorize execution and delivery of a Lease-Purchase Agreement and related documents in the amount of \$2,227,000 with respect to the lease for fleet truck vehicles, waste receptacles, one ambulance and one fire truck for the City; authorize executing and delivery of documents required in connection therewith; and authorize the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.

Mr. Pyle stated the City had need to acquire new heavy-duty trucks, a fire truck, an ambulance and recycling containers. He further stated favorable terms had been negotiated with Wells Fargo Brokerage Services LLC to initiate a lease purchase transaction. He indicated terms of the leases would approximately the useful life of the assets acquired.

Finance Director, Jim Welch, further reviewed the proposed Resolution and transaction. Ms. Lewis stated timing in the market was great, as good rates had been locked in a couple of weeks ago.

Mayor Nordfelt recessed the Study Meeting at 4:43 P.M., and reconvened the Meeting at 4:52 P.M.

4. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 12, 2008**The Council read and considered the Minutes of the Study Meeting held February 12, 2008. There were no changes, corrections or deletions.

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After discussion, Councilmember Winder moved to approve the Minutes of the Study Meeting held February 12, 2008, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

5. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED FEBRUARY 26, 2008

City Manager, Wayne Pyle, stated one item had been added to the Agenda for the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M., and he discussed that item, and others, as follows:

Item No. 9. B. – RESOLUTION NO. 08-84, AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH THE WEST VALLEY CITY REDEVELOPMENT AGENCY AND ARGENT 201, LLC, TO FACILITATE DEVELOPMENT IN THE NORTH CENTRAL ECONOMIC DEVELOPMENT PROJECT AREA

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-84 which would authorize the City to enter into an agreement with the West Valley City Redevelopment Agency and Argent 201, LLC, to facilitate development in the North Central Economic Development Project Area.

Mr. Pyle stated Argent 201, LLC, was purchasing a large parcel of property within the EDA Project Area and the subject agreement would facilitate development of the property by the Redevelopment Agency returning 75% of the tax increment generated from the development to Argent (over a 15 year period). He further stated the City, in order to facilitate development within the area, had agreed to delay the collection of development fees until they were repaid from tax increment; to not require Argent to be responsible for the improvement of certain intersections that were not within their project site; and to grant, subject to further City Council approval, an option for Argent to purchase the Stonebridge Golf Course driving range for inclusion in the development.

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The City Manager reported the North Central Economic Development Project Area had been adopted by the City through West Valley City Ordinance No. 08-06, dated January 22, 2008. He stated it encompassed several large properties located north of Stonebridge Golf Course. He further indicated it was Argent's intention to build a business center within the Project Area that would contain approximately 27-30 buildings and approximately 1.5 million square feet of space at full build out.

City Manager, Wayne Pyle, advised representatives of Argent, Terrell Sparks and Greg Helm, were in attendance to answer questions.

Upon direction by the City Manager, Brent Garlick, CED Department, and Richard Catten, City Attorney, discussed the terms of the Agreement, and answered questions from members of the City Council.

Item No. 8. B. – PUBLIC HEARING, APPLICATION NO. GPZ-5-2007, FILED BY RANDY AND MICHELLE TOUSLEY, REQUESTING TO AMEND THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND TO AMEND THE ZONING MAP FROM ZONE 'R-1-8' (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQ. FT.) TO 'RM' (RESIDENTIAL, MULTI-FAMILY) ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 3600 WEST

Upon Mayor Nordfelt's request, City Manager, Wayne Pyle, discussed a public hearing advertised for the Regular Council Meeting scheduled February 26, 2008 at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. GPZ-5-2007, filed by Randy and Michelle Tousley. He reviewed the application which requested to amend the General Plan from Low Density Residential to High Density Residential; and to amend the Zoning Map from zone 'R-1-8' (Residential, Single-Family, Minimum Lot Size 8,000 sq. ft.) to 'RM' (Residential, Multi-Family) zone for property located at approximately 3244 South 3600 West.

City Manager, Wayne Pyle, CED Director, Joseph Moore, and Steve Pastorik, CED Department, answered questions from members of the City Council regarding density, parking, concerns as expressed in letters received from nearby residents, and other issues.

Upon inquiry, there were no further questions regarding items scheduled on the above stated Agenda.

6. PUBLIC HEARINGS SCHEDULED MARCH 4, 2008:

A. PUBLIC HEARING, APPLICATION NO. Z-1-2008, FILED BY GARY NIELSON, REQUESTING TO AMEND THE ZONING MAP FROM ZONE 'R-1-4' (SINGLE-FAMILY, MINIMUM LOT SIZE 4,000 SQ. FT.) TO

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ZONE 'C-2' (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT APPROXIMATELY 1751 WEST 3100 SOUTH

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 4, 2008, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. Z-1-2008, filed by Gary Nielson, requesting to amend the Zoning Map from zone 'R-1-4' (Single-Family, Minimum Lot Size 4,000 sq. ft.) to zone 'C-2' (General Commercial) for property located at approximately 1751 West 3100 South. He discussed proposed Ordinance No. 08-15 and proposed Resolution No. 08-85 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 08-15, AMENDING THE ZONING MAP TO SHOW CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 1751 WEST 3100 SOUTH FROM ZONE 'R-1-4' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 4,000 SQ. FT.) TO 'C-2' (GENERAL COMMERCIAL) ZONE

City Manager, Wayne Pyle, discussed proposed Ordinance No. 08-15 which would amend the Zoning Map to show change of zone for property located at approximately 1751 West 3100 South from zone 'R-1-4' (Single-Family Residential Minimum Lot Size 4,000 sq. ft.) to 'C-2' (General Commercial) zone.

Mr. Pyle stated surrounding zones included 'RMH' (Residential, Mobile Homes) to the north, 'C-2' (General Commercial) to the east, 'C-2' and 'RMH' to the south, and 'A' (Agriculture) and 'RMH' to the west. He indicated surrounding land uses included the American Heritage Mobile Home Park to the north, single-family homes and the Redwood Village Mobile Home Park to the west and south, and an abandoned single family-home and mobile home to the east. He stated the subject property had been designated as Medium Density Residential, which allowed six to 10 units per acre, in the West Valley City General Plan. He indicated the Plan also called for general commercial uses to the east.

The City Manager reported the subject property had been re-zoned from 'A' (Agriculture) to 'R-1-4' (Single-Family Residential Minimum Lot Size 4,000 sq. ft.) last year. The proposal at that point had been for three single-family home lots. A development agreement had been approved in conjunction with the re-zone. The latest proposal was for a 17 room assisted living facility. A concept plan had been distributed to the City Council. He stated also provided to the Council was a memo from the applicant addressed to West Valley Planning and Zoning that explained the rationale behind the application, described the proposed use, and included pictures of the proposed use.

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Mr. Pyle stated since the proposed use as assisted living was a relatively low impact use; staff recommended a development agreement be approved in conjunction with the re-zone that would limit the use to an assisted living facility. He indicated the development agreement should also address building design. He further stated, normally, the commercial design standards applied to new commercial uses, however, in this situation staff recommended the multi-family residential design standards be used for the building design review.

RESOLUTION NO. 08-85, AUTHORIZE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH REUNION VILLAGE, LLC, WITH ITS MANAGING MEMBER BEING B & G PARTNERS, LLC, FOR APPROXIMATELY 0.49 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 1751 WEST 3100 SOUTH

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-85 which would authorize the City to enter into a Development Agreement with Reunion Village, LLC, with its managing member being B & G Partners, LLC, for approximately 0.49 acres of real property being developed in the vicinity of 1751 West 3100 South.

Mr. Pyle stated the applicant had requested to change the 0.49 acres of property from 'R-1-4' (Single-Family Residential, Minimum Lot Size 4,000 sq. ft.) to 'C-2' (General Commercial). He further stated the proposed use for the property would be an assisted living facility. He indicated the Planning Commission recommended approval of the re-zone subject to a development agreement.

The City Manager reported and discussed terms of the Development Agreement as follows:

- 1. The use of the property shall be limited to an assisted living facility.
- 2. The architectural requirements of the multi-family design standards found in Sections 7-14-305, 7-14-307, 7-14-308, 7-14-309, 7-14-310, 7-14-311, and 7-14-312 of the Zoning Ordinance shall apply to the building.

Steve Pastorik, CED Department, further reviewed the Application and terms of the Development Agreement. He also displayed a plat map and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. Z-1-2008 and consider proposed Ordinance No. 08-15 and proposed Resolution No. 08-85 at the Regular Council Meeting scheduled March 4, 2008, at 6:30 P.M.

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7. **COMMUNICATIONS:**

A. LEGISLATIVE UPDATE

City Manager, Wayne Pyle, stated Nicole Cottle, Law Department and the City's representative at the Legislature, had not been able to attend the meeting to provide the Council with a legislative update. Mr. Pyle indicated, however, Ms. Cottle had sent an e-mail earlier in the day providing updated information. Mr. Pyle advised that Ms. Cottle continued to work with Dave Stewart, the City's lobbyist, regarding funding for transportation projects. He also reported the City had been granted \$3,000,000 for the road improvement project on 7200 West.

B. SIDEWALK NEEDS PRIORITY LIST

Public Works Director, Russell Willardson, distributed written information regarding a sidewalk needs priority list and, using PowerPoint, discussed issues summarized as follows:

Sidewalk Funding Sources:

- Local Class C Roads, CDBG, General Fund, Road Impact Fees (main roads only)
- State Safe Sidewalk Program (State roads only)
- Federal STP (widening and reconstruction), Transportation Enhancement (\$500,000 maximum), Safe Route to School (\$150,000 maximum)

FY 2006-2007 Class C Road Budget (\$3.39 million)

• Graph showing projects and other expenditures

FY 2008-2009 Class C Road Budget (\$3.65 million)

• Graph showing projects and other expenditures

Capital Improvements:

- New street construction
- Street widening
- Traffic signals and intersection improvements
- Sidewalks
- Developer reimbursements

Recent sidewalk improvements:

- 2006 3200 West Reconstruction from 4100 South to 4700 South
- 2007 3800 South Sidewalk (2200 West to 2700 West)

2008 planned sidewalk improvements:

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- 3600 West Reconstruction (3500 South to 4100 South)
- 3200 West Sidewalk (4500 South to Westcove Drive)
- 2200 West Sidewalk (3500 South to 3800 South)
- 3500 South Streetscape (Jordan River to Redwood Road)

2009 planned sidewalk improvements:

• 5200 West Improvements (3500 South to 4100 South)

2010 planned sidewalk improvements:

• 7200 West Widening (SR-201 to Parkway Boulevard)

Using PowerPoint, Erik Brondum, Transportation Engineer, Public Works Department, discussed information summarized as follows:

Sidewalk project prioritization:

- Missing sidewalk segments were identified based on elementary school boundaries
- A point system was created to prioritize the projects
- Cost estimates for each segment were also included as an additional criteria

Sidewalk priority index:

- Pedestrians: 5 x the number of students that could potentially walk along that segment
- Speed limit: 25 mph 30 points
 30 mph 50 points
 35 mph 70 points
 40 mph 90 points
- Traffic: average daily traffic ÷ 100
- Hazard: length ÷ 10 x (1 if curb & gutter), (2 if shoulder only), (3 if there is a ditch)
- Accidents: 100 x the number of pedestrian accidents
- Pedestrian generators: parks 30 points and bus stops 10 points

Chart showing top ten sidewalk projects by points total

- Sunnyvale Drive / Farnsworth Elementary
- Acord Way / Farnsworth Elementary
- 4620 West / Jacking Elementary
- Lester Street / Redwood Elementary
- Crystal Avenue / Redwood Elementary

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- Market Street / Rolling Meadows Elementary
- 3740 West / Hillsdale Elementary
- 3425 West / Frost Elementary
- 6800 West / Orchard Elementary
- 2910 West / Stansbury Elementary

Top ten by cost estimate / point ratio:

- 5400 West (Major Street) / Hunter Elementary / \$5,890
- 4620 West / Jackling Elementary / \$36,120
- 4800 West (Major Street) / Academy Park Elementary / \$16, 848
- Hopi Drive / Frost Elementary / \$11,744
- 6800 West / Orchard Elementary / \$34,544
- 4700 South (Major Street) / Academy Park Elementary / \$22,348
- 3425 West / Frost Elementary / \$56,210
- 5400 West (Major Street) / Hunter Elementary / \$32, 120
- 3740 West / Hillsdale Elementary / \$67,313

During the above discussion, Public Works Director, Russell Willardson, and Erik Brondum, Public Works Department, answered questions from members of the City Council.

C. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: February 28, 2008: ChamberWest General Membership Meeting, Stonebridge Golf Course, 11:45 A.M.; March 4, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 7-13, 2008: NLC Conference, Washington, D.C.; March 11, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 18, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 25, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 27, 2008: ChamberWest Awards Dinner and Scholarship Auction, UCCC, Social Hour at 6:30 P.M. and Dinner at 7:00 P.M.; April 1, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 8, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 9-11, 2008: ULCT Mid-year Conference, St. George; April 15, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 22, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and May 19, 2008: Annual Police Awards Banquet, 12 Noon, UCCC.

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8. UPDATES REGARDING: MEETING WITH OWNERS OF VALLEY FAIR MALL; CITY CENTER PROJECT; COLLECTOR/DISTRIBUTOR ROAD; TRAFFIC CONGESTION ON 3500 SOUTH; NEW ANIMAL SHELTER PROJECT; COMMUNITY PRESERVATION DEPARTMENT; AND HIRING NEW GRAFFITI OFFICER

City Manager, Wayne Pyle, updated the City Council regarding a recent meeting with the owners of the Valley Fair Mall. Mr. Pyle advised the Mall owners were on schedule with their demolition and remodel plans.

Mr. Pyle also updated the City Council regarding the City Center project including completion of purchase of the Mark IV Apartments, appraisals of several other properties in the area, and a proposal from the developer.

City Manager, Wayne Pyle, advised the Council regarding discussions with Utah Department of Transportation (UDOT0 regarding a proposed collector/distributor road near the Valley Fair Mall.

Mr. Pyle discussed traffic congestion on 3500 South due to construction.

The City Manager reported regarding the new animal shelter project including architectural services, construction costs and options.

Mr. Pyle updated the Council regarding the recent creation of the Community Preservation Department and hiring of a new graffiti officer.

City Manager, Wayne Pyle, answered questions from members of the City Council regarding the above information.

9. **COUNCIL REPORTS**

A. MAYOR DENNIS NORDFELT – DESERET NEWS ARTICLE

Mayor Nordfelt mentioned a recent article in the Deseret News regarding Councilmember Burt and that she would be an official for the upcoming Olympic swimming trials.

B. COUNCILMEMBER STEVE VINCENT – ITEM ON PLANNING COMMISSION AGENDA

Upon inquiry by Councilmember Vincent regarding an item scheduled on the Planning Commission agenda about the Family Support Center, City Manager, Wayne Pyle, discussed and provided updated information regarding that matter.

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C. COUNCILMEMBER RUSS BROOKS – NEW RECYCLING PROGRAM Councilmember Brooks expressed appreciation to the Public Works Director for information provided regarding the new recycling program to assist in responding to calls from citizens. In response to questions from members of the City Council.

to calls from citizens. In response to questions from members of the City Council, the City Manager and staff discussed recent public education efforts regarding the City's sanitation services including recycling. The City Council discussed comments received from citizens regarding the recycling program.

D. MAYOR DENNIS NORDFELT - KELLY BENSON APARTMENTS

Mayor Nordfelt stated several Council members and staff members had received e-mail from Scott Warr regarding the Kelly Benson Apartments. The Mayor distributed copies of the e-mails to the City Manager and requested an appropriate response be made.

Mayor Nordfelt also advised a letter had been received from another Samoan organization expressing criticism of the Samoan Heritage Board. He indicated there appeared no need to respond. Councilmember Winder advised this was the same letter he had mentioned the previous week at Study Meeting.

E. **COUNCILMEMBER MIKE WINDER – INQUIRY REGARDING UTOPIA**Upon inquiry by Councilmember Winder regarding high-speed internet service and technology from UTOPIA, City Manager, Wayne Pyle, discussed the progress regarding this matter.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, FEBRUARY 26, 2008, WAS ADJOURNED AT 6:11 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held February 26, 2008.

Sheri McKendrick, MMC City Recorder

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